

CHAPTER NO. 264

HOUSE BILL NO. 2058

By Representative Ulysses Jones

Substituted for: Senate Bill No. 1968

By Senator Norris

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 51, Part 1 and Title 29, Chapter 20, relative to emergency services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 20, is amended by adding the following language as a new section:

SECTION 29-20-___. Except as may otherwise be provided in the agreement, when any governmental entity is found liable under this Part for any injury arising out of the provision of emergency services rendered under a written mutual aid, automatic response, operational agreement, or any other agreement specifically entered between or among the parties relating to the providing of emergency services under §§ 5-1-113, 5-16-107, 6-54-601, 12-9-101, et seq., or other applicable law, the governmental entity benefiting from the provision of the services under the agreement may pay any judgment or award against the provider subject to the limits of liability § 29-20-403.

SECTION 2. Tennessee Code Annotated, Section 6-51-103, is amended by adding the following language as subsection (b) and redesignating existing subsections accordingly:

(b) The rendering of services under a mutual aid agreement, an automatic response agreement, an operational agreement, or any other agreement as allowed under § 6-58-101, et seq., or the providing of mutual aid or assistance under § 58-8-101, et seq., is not admissible as evidence against the municipality in any action brought under this section or § 29-14-101, et seq.

SECTION 3. Tennessee Code Annotated, Title 6, Chapter 51, Part 1, is amended by adding the following language as a new section:

SECTION 6-51-119. The legislative body of an annexing municipality or its designee shall provide a copy of the annexation ordinance, along with a copy of the portion of the plan of services dealing with emergency services and a detailed map designating the annexed area, to any affected emergency communications district upon final passage of the ordinance. The map shall identify all public and private streets in the area to be annexed, including street names and direction indicators. The map shall include or have appended a list of address ranges for each street to be annexed. For contested annexation ordinances, in cases in which the municipality plans to begin providing emergency services in the annexed territory immediately, the municipality shall notify the district when the annexation becomes final. Compliance or noncompliance with this section is not admissible against the municipality in any case brought under Title 6 or Title 29, Chapter 14, or against the municipality or any affected emergency communications district under Title 29, Chapter 20.

SECTION 4. This act shall take effect on July 1, 2005, the public welfare requiring it.

PASSED: May 16, 2005



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 28th day of May 2005



PHIL BREDESEN, GOVERNOR